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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

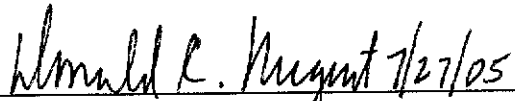
RAYMOND R. MATA,	)	CASE NO. 3:05 CV 1468
	)	
Petitioner,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	
	)	<u>MEMORANDUM OF OPINION</u>
JESSE WILLIAMS,	)	<u>AND ORDER</u>
	)	
Respondent.	)	

On May 24, 2005, petitioner pro se Raymond R. Mata filed the above-captioned petition for a writ of habeas corpus under 28 U.S.C. § 2254. Mata is incarcerated in an Ohio penal institution, having been convicted, pursuant to a guilty plea, of attempted rape and gross sexual imposition. For the reasons stated below, the petition is denied and this action is dismissed.

A federal court may entertain a habeas petition filed by a person in state custody only on the ground that he is in custody in violation of the Constitution, laws, or treaties of the United States. 28 U.S.C. § 2254(a). In addition, petitioner must have exhausted all available state court remedies. 28 U.S.C. § 2254(b); Hannah v. Conley, 49 F.3d 1193, 1196 (6th Cir. 1995) (per curiam); Clemmons v. Sowders, 34 F.3d 352, 354 (6th Cir. 1994). The Court of Appeals for the Sixth Circuit has determined that "[t]he

of the Rules Governing Section 2254 Cases. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

IT IS SO ORDERED.

  
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DONALD C. NUGENT  
UNITED STATES DISTRICT JUDGE